

REMARKS:

The Office Action dated June 9, 2006 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 4, 12, and 16 have been amended as to matters of form. Claims 1 and 13 have been also amended. Support for the amendment to claims 1 and 13 can be found, *inter alia*, at page 2, line 17 and lines 26-28 of the specification. No new matter has been added. Accordingly, claims 1-16 are pending in the application and submitted for consideration.

Claims 1-4, 9-10 and 12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Applicants traverse the rejection.

Claims 1, 4, and 12 have been amended as to matters of form. Applicants submit that claims 1-4, 9-10 and 12 comply with 35 U.S.C. § 112 and therefore, request that this rejection be withdrawn.

The following prior art rejections were made in the Office Action:

- Claims 1-4, 6, 8 and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,832,686 to Donegan.
- Claims 1-9 and 12-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,345,717 to Flewitt.
- Claims 1-4, 6, 8 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,664,262 to White.
- Claims 1-6, 8 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,574,954 to Reid.

- Claims 1-4, 6-8 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,074,806 to Ardito.
- Claims 1-6, 8 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,921,804 to Tester.
- Claims 10-11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flewitt, as employed against claim 9 above, in view of Reid.
- Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of Flewitt and Reid in view of U.S. Patent No. 5,624,036 to Roulin et al.

Applicants respectfully traverse each of these rejections and submits that claims 1-16 recite subject matter that is not disclosed or suggested by any combination of the cited prior art.

Claim 1, upon which claims 2-11 and 13-16 depend, recites a pack of medicinal tablets that includes a base wall which defines a plurality of locations for the tablets. At each such location there is a displaceable pocket which is integral with the base wall and which constitutes a recess for a tablet. The packet includes a cover piece of a rupturable material and a tablet between the displaceable pocket and the cover piece. The base wall is of a sufficiently rigid construction as to be resistant to permanent deformation and is elastic such that it can be reversibly flexed.

Claims 12 and 13 also recite medicinal table pack that includes a base portion or wall that is resistant to permanent deformation.

Each of the prior art reference cited in the Office Action discloses the tablets themselves are located in the pocket such as that of a standard blister pack. Applicants submit that it is

well known that such packs readily crumple and are permanently deformed after a tablet has been dispensed. Such packs cannot be said to be resistant to permanent deformation or elastic such that they may be reversibly flexed.

In contrast to the prior art, the claims of the present invention specify that the base wall is of sufficient rigid construction, not the pack itself. Several of the prior art documents cited by the Examiner (e.g., Donegan, Flewitt, Ardito and Tester) provide outer supporting packs which may be of rigid construction but the base wall is not disclosed to be of such rigid construction and is not disclosed to be elastic such that it can be reversibly flexed, as defined by claim 1 of the present invention. Other prior art documents (e.g., White, Roulin and Reid) disclose packs in which the tablets are located in a pocket of a type which would clearly crumple as the tablet is expelled. There is no disclosure or suggestion by any of these prior art documents of a packet including a base wall having pockets that are integral therewith and resistant to permanent deformation or elastic such that it may be reversibly flexed, as defined by claim

Thus, Applicants submit that the cited prior art, alone or in combination, fails to disclose or suggest each and every feature of claims 1-16. Accordingly, Applicants request that the rejection be withdrawn and that claims 1-16 be allowed.

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that claims 1-16 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "B. Tollefson", is written over a horizontal line.

Brian A. Tollefson
Attorney for Applicants
Registration No. 46,338
ROTHWELL, FIGG, ERNST & MANBECK
1425 K. Street, Suite 800
Washington, D.C. 20005
Telephone: (202) 783-6040